

Exhibit K

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Transcript of Colin Bloch

Date: June 20, 2018

Case: UMG Recordings, Inc., et al. -v- Grande Communications Networks, LLC, et al.

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Transcript of Colin Bloch
Conducted on June 20, 2018

1 (1 to 4)

1	3
1 IN THE UNITED STATES DISTRICT COURT	1 A P P E A R A N C E S
2 FOR THE WESTERN DISTRICT OF TEXAS	2 FOR PLAINTIFFS:
3 AUSTIN DIVISION	3 Robert B. Gilmore
4 UMG RECORDINGS, INC., §	4 STEIN MITCHELL CIPOLLONE
5 et al. §	5 BEATO & MISSNER LLP
6 Plaintiffs, §	6 1100 Connecticut Avenue, NW, Suite 1100
7 VS. § CIVIL ACTION NUMBER	7 Washington, D.C. 20036
8 § 1:17-cv-0365-LY	8 (202) 737-7777
9 GRANDE COMMUNICATIONS §	9 rgilmore@steinmitchell.com
10 NETWORKS LLC and §	10
11 PATRIOT MEDIA §	11 ON BEHALF OF DEFENDANTS:
12 CONSULTING, LLC §	12 Jennifer E. Hoekel
13 Defendants.	13 Margaret R. Szewczyk
14	14 ARMSTRONG TEASDALE LLP
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20	20
21	21 VIDEOGRAPHER:
22	22 Sam Swain
23 Job No.: 193707	23
24 Pages: 1 - 113	24
25 Reported by: Micheal A. Johnson, RDR, CRR	25
2	4
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2 location of:	2 COLIN BLOCH
3	3 June 20, 2018
4	4 APPEARANCES 3
5 Scott Douglass & McConnico, LLP	5 PROCEEDINGS 7
6 303 Colorado Street, Suite 2400	6
7 Austin, Texas 78701	7 EXAMINATION OF COLIN BLOCH:
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3 (9 to 12)

9	<p>1 A. I don't know.</p> <p>2 Q. Which company sued Grande; do you know?</p> <p>3 A. I don't remember.</p> <p>4 Q. And in general terms, why were you deposed</p> <p>5 in that case?</p> <p>6 A. I was a system administrator over a team</p> <p>7 who deployed the software.</p> <p>8 Q. How many years have you worked at Grande?</p> <p>9 A. Eighteen.</p> <p>10 Q. I'm going to ask you some more background.</p> <p>11 I know you've been deposed once, but I just want</p> <p>12 to go over some ground rules as a refresher on how</p> <p>13 depositions work. It's my job to ask you</p> <p>14 questions that you understand. Okay?</p> <p>15 A. Yes.</p> <p>16 Q. It's important that you give a verbal</p> <p>17 answer rather than a head shake or nod so that --</p> <p>18 since it's being transcribed. Okay?</p> <p>19 A. Yeah.</p> <p>20 Q. If you don't understand one of my</p> <p>21 questions, it's probably going to happen at some</p> <p>22 point during the day, just ask me to -- just let</p> <p>23 me know, I'll try and rephrase it. Okay?</p> <p>24 A. Cool. Thanks.</p> <p>25 Q. Let's see. If you need to take a break,</p>	11	<p>1 A. Yes.</p> <p>2 Q. What is your current job at Grande?</p> <p>3 A. My title is manager of Internet systems.</p> <p>4 Q. How long have you had that position?</p> <p>5 A. I would say about 15 years, maybe longer.</p> <p>6 Q. Before you held this position, what was</p> <p>7 your position at Grande?</p> <p>8 A. Senior system administrator.</p> <p>9 Q. Can you describe what your job</p> <p>10 responsibilities are as the manager of Internet</p> <p>11 systems?</p> <p>12 A. That will keep us here for a while. You</p> <p>13 know, when people ask me what I do, I tell them</p> <p>14 I'm in telecom because it's easier than describing</p> <p>15 all the responsibilities I have, but I'd say, just</p> <p>16 boil it down as short as possible, I manage the</p> <p>17 systems that provide the experience for our retail</p> <p>18 Internet, phone and cable customers.</p> <p>19 Q. And can you give me some more detail about</p> <p>20 what it means to manage the systems that provide</p> <p>21 experience for Grande's Internet, phone and cable</p> <p>22 customers, retail customers?</p> <p>23 A. At the core of it, I'm a UNIX system</p> <p>24 administrator. So my specialty is running UNIX</p> <p>25 systems, which are the core of our server</p>
10	<p>1 just let us know. I'll probably take a break</p> <p>2 about every hour. If I've just asked a question,</p> <p>3 I'd ask that you answer my question before we go</p> <p>4 on break. Fair?</p> <p>5 A. Yes.</p> <p>6 Q. If you answer my question, I'm going to</p> <p>7 assume that you understood it. Understand?</p> <p>8 A. Yes.</p> <p>9 Q. If at any point during the deposition you</p> <p>10 realize that like an answer that you previously</p> <p>11 gave is incomplete or inaccurate in any way, just</p> <p>12 let me know and you can clarify it on the record.</p> <p>13 Okay?</p> <p>14 A. Okay.</p> <p>15 Q. Is there -- you understand that you were</p> <p>16 just sworn in so this testimony that you're going</p> <p>17 to give today is under oath just as it would be if</p> <p>18 you were in court?</p> <p>19 A. Yes.</p> <p>20 Q. Is there any reason that you can't give</p> <p>21 truthful and accurate testimony today?</p> <p>22 A. No.</p> <p>23 Q. Okay. Your current employer is Grande?</p> <p>24 A. Yes.</p> <p>25 Q. You've worked for Grande for 18 years?</p>	12	<p>1 environment which provides all the services to the</p> <p>2 customers, e-mail, authentication, cable modem</p> <p>3 provisioning, digital phone provisioning,</p> <p>4 et cetera.</p> <p>5 Q. Do you have people who report to you?</p> <p>6 A. No, I don't.</p> <p>7 Q. Who do you report to?</p> <p>8 A. I report to Pete Jacoby.</p> <p>9 Q. And who is Mr. Jacoby? What is his job at</p> <p>10 Grande?</p> <p>11 A. He is actually at RCN Corporate in Boston</p> <p>12 and he is primarily network-side focused, in the</p> <p>13 sense that most of his employees are router</p> <p>14 engineers, IP telecom, actual transit engineers.</p> <p>15 Q. How long have you reported to Mr. Jacoby</p> <p>16 at RCN?</p> <p>17 A. Less than one year.</p> <p>18 Q. Before you started reporting to Mr. Jacoby</p> <p>19 at RCN, who did you report to?</p> <p>20 A. Richard Fogle.</p> <p>21 Q. And what was Mr. Fogle's position?</p> <p>22 A. At the time, I believe he was director of</p> <p>23 IT.</p> <p>24 Q. What is his -- strike that.</p> <p>25 Is he currently at Grande, Mr. Fogle?</p>

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10 (37 to 40)

<p style="text-align: right;">37</p> <p>1 responsibility?</p> <p>2 MS. HOEKEL: Object to the form.</p> <p>3 A. Five years.</p> <p>4 BY MR. GILMORE:</p> <p>5 Q. Before that, who had that responsibility?</p> <p>6 A. Keith Crabtree.</p> <p>7 Q. And before that, did you have that</p> <p>8 responsibility?</p> <p>9 A. No. I don't recall who had it before.</p> <p>10 Q. Was there some point in time that you had</p> <p>11 that responsibility?</p> <p>12 A. Yes.</p> <p>13 Q. And that was in the 2000s?</p> <p>14 A. Very early 2000s, yes.</p> <p>15 Q. When you say "early in the 2000s," do you</p> <p>16 mean like sort of the first half of the decade or</p> <p>17 the --</p> <p>18 A. I started in September 2000, and I handled</p> <p>19 that process for at least a couple of years.</p> <p>20 Q. Was that before you had developed the</p> <p>21 automated process that you were telling me about</p> <p>22 earlier?</p> <p>23 A. Yes.</p> <p>24 Q. So tell me what you remember about when</p> <p>25 you handled the abuse process. Actually, let me</p>	<p style="text-align: right;">39</p> <p>1 BY MR. GILMORE:</p> <p>2 Q. It was some point early in your career at</p> <p>3 Grande?</p> <p>4 A. Yes.</p> <p>5 Q. And is that around the time when your</p> <p>6 responsibilities included developing the process</p> <p>7 for -- developing the process regarding the</p> <p>8 notices of infringement that Grande was receiving,</p> <p>9 what Grande was doing with those?</p> <p>10 MS. HOEKEL: Object to the form.</p> <p>11 A. Yes --</p> <p>12 BY MR. GILMORE:</p> <p>13 Q. From a technical standpoint at least?</p> <p>14 MS. HOEKEL: Object to the form.</p> <p>15 A. Yeah, could you say that one again?</p> <p>16 BY MR. GILMORE:</p> <p>17 Q. Sure. You told me it was early in your</p> <p>18 career that Grande became aware of copyright</p> <p>19 infringement happening by Grande subscribers. Is</p> <p>20 that when your responsibilities included</p> <p>21 developing sort of technical solutions for dealing</p> <p>22 with that?</p> <p>23 MS. HOEKEL: Object to the form, misstates</p> <p>24 the prior testimony.</p> <p>25 You can answer.</p>
<p style="text-align: right;">38</p> <p>1 stop. First -- I'll withdraw that question.</p> <p>2 You used the phrase "abuse process."</p> <p>3 A. Uh-huh.</p> <p>4 Q. What does that phrase mean?</p> <p>5 A. It's a legacy phrase dating back to</p> <p>6 describing any kind of illicit activity that could</p> <p>7 happen on your network. In the timespan of the</p> <p>8 mid-'90s to the early 2000s, it more meant people</p> <p>9 being belligerent in chat rooms, perhaps, you</p> <p>10 know, perpetrating IP DOS attacks towards other</p> <p>11 IRC chat relay customers, maybe sending</p> <p>12 objectionable e-mails, et cetera. Any complaint</p> <p>13 would come in through abuse.</p> <p>14 Q. And at some point in time, the abuse</p> <p>15 process came to include copyright infringement?</p> <p>16 A. It did.</p> <p>17 Q. About when did that happen?</p> <p>18 A. Well, it happened the moment that we</p> <p>19 became aware of copyright infringement happening,</p> <p>20 when the organizations popped up.</p> <p>21 Q. About when did Grande become aware of</p> <p>22 copyright infringement happening by Grande</p> <p>23 subscribers?</p> <p>24 MS. HOEKEL: Object to the form.</p> <p>25 A. I don't recall the exact date, man.</p>	<p style="text-align: right;">40</p> <p>1 A. That was never a part of my</p> <p>2 responsibility. I just insisted on it.</p> <p>3 BY MR. GILMORE:</p> <p>4 Q. You insisted on it?</p> <p>5 A. Yes.</p> <p>6 Q. Tell me why you insisted on it.</p> <p>7 A. Well, that kind of activity was a drain on</p> <p>8 our technical resources and it was also</p> <p>9 disparaging to our reputation. Both of those</p> <p>10 things could lead to service deficiencies in other</p> <p>11 areas, so we had no desire for it.</p> <p>12 Q. Tell me how copyright infringement is a</p> <p>13 drain on Grande's technical resources.</p> <p>14 MS. HOEKEL: Object to the form.</p> <p>15 A. By virtue of them using new technologies</p> <p>16 to use more bandwidth than they would normally be</p> <p>17 capable of.</p> <p>18 BY MR. GILMORE:</p> <p>19 Q. Was one of those technologies BitTorrent,</p> <p>20 peer-to-peer file sharing?</p> <p>21 A. It was.</p> <p>22 Q. Tell me what you know about BitTorrent.</p> <p>23 A. I know that it is used more for the wrong</p> <p>24 reasons than the right.</p> <p>25 Q. Has Grande ever -- well, strike that.</p>

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11 (41 to 44)

<p style="text-align: right;">41</p> <p>1 Does Grande have the technical ability to</p> <p>2 block access to BitTorrent sites?</p> <p>3 MS. HOEKEL: Object to the form, calls for</p> <p>4 speculation.</p> <p>5 A. That probably is outside of my area, since</p> <p>6 it's like -- would be an IP function, so I</p> <p>7 couldn't really say for sure.</p> <p>8 BY MR. GILMORE:</p> <p>9 Q. When you say "IP," do you mean</p> <p>10 intellectual property or some other --</p> <p>11 A. Sorry. Internet protocol, as in</p> <p>12 networking related rather than UNIX systems. That</p> <p>13 would be at a network level, I believe.</p> <p>14 Q. And who has responsibility for the</p> <p>15 Internet protocol or network level functions</p> <p>16 within Grande?</p> <p>17 A. I know that it all boils up eventually to</p> <p>18 Lamar Horton, but he has several IP engineers.</p> <p>19 Q. Can you tell me who those people are?</p> <p>20 A. I know one of them is Vito Ciminello. And</p> <p>21 I know there's Lynn Buegeler. That's about all</p> <p>22 I've got offhand.</p> <p>23 Q. So understanding that this isn't part of</p> <p>24 your job responsibility, but you seem like you are</p> <p>25 someone who has some technical expertise. Fair?</p>	<p style="text-align: right;">43</p> <p>1 to a known list of blocked sites. Now, how it</p> <p>2 does that, I couldn't tell you specifically. And</p> <p>3 then we've had a retail instance of that too,</p> <p>4 where we had a service filtered for customers too</p> <p>5 so -- where we could keep them from objectionable</p> <p>6 websites.</p> <p>7 Q. Has Grande ever, to your knowledge,</p> <p>8 considered blocking BitTorrent websites?</p> <p>9 MS. HOEKEL: Object to the form, calls for</p> <p>10 speculation.</p> <p>11 A. I don't know if it's been considered.</p> <p>12 BY MR. GILMORE:</p> <p>13 Q. Do you know if Grande blocks its employees</p> <p>14 from accessing BitTorrent websites or other</p> <p>15 peer-to-peer file sharing websites?</p> <p>16 A. I don't -- I don't know, although I need</p> <p>17 it, so I would hope not. We download a lot of</p> <p>18 corporate software that way.</p> <p>19 Q. Through BitTorrent?</p> <p>20 A. Yes.</p> <p>21 Q. Does Grande block its customers -- sorry,</p> <p>22 strike that.</p> <p>23 Does Grande block its employees from</p> <p>24 downloading or uploading music or movies through</p> <p>25 peer-to-peer file sharing sites?</p>
<p style="text-align: right;">42</p> <p>1 A. Yes.</p> <p>2 Q. Are you aware of Internet service</p> <p>3 providers -- strike that.</p> <p>4 Are you aware of technical capabilities</p> <p>5 that exist for an Internet service provider to</p> <p>6 block its subscribers from accessing certain</p> <p>7 websites?</p> <p>8 MS. HOEKEL: Object to the form, calls for</p> <p>9 expert testimony, incomplete hypothetical.</p> <p>10 A. Yes.</p> <p>11 BY MR. GILMORE:</p> <p>12 Q. Tell me what you know about the technical</p> <p>13 capabilities that exist for Internet service</p> <p>14 providers to block subscribers from accessing</p> <p>15 websites.</p> <p>16 MS. HOEKEL: Same objections, calls for</p> <p>17 expert testimony.</p> <p>18 A. I know it's possible.</p> <p>19 BY MR. GILMORE:</p> <p>20 Q. How do you know it's possible?</p> <p>21 A. We do it on some level.</p> <p>22 Q. Tell me what Grande does to block</p> <p>23 subscribers from accessing certain websites.</p> <p>24 A. Well, we have a corporate third-party</p> <p>25 product, which does not allow any employees to get</p>	<p style="text-align: right;">44</p> <p>1 MS. HOEKEL: Object to the form.</p> <p>2 A. I don't know. I don't think any of us</p> <p>3 would try that.</p> <p>4 MS. HOEKEL: We've been going about an</p> <p>5 hour.</p> <p>6 MR. GILMORE: Yeah, we can go take our</p> <p>7 first break now.</p> <p>8 MS. HOEKEL: Okay.</p> <p>9 THE VIDEOGRAPHER: Off the record at</p> <p>10 10:23.</p> <p>11 (Recess taken from 10:23 a.m. to</p> <p>12 10:34 a.m.)</p> <p>13 THE VIDEOGRAPHER: Back on the record at</p> <p>14 10:34.</p> <p>15 BY MR. GILMORE:</p> <p>16 Q. Mr. Bloch, earlier you said Grande became</p> <p>17 aware of copyright infringement happening when the</p> <p>18 organizations popped up. Can you tell me -- are</p> <p>19 you referring to companies that detect and send</p> <p>20 notices of copyright infringement? Is that the</p> <p>21 organizations you were referring to?</p> <p>22 MS. HOEKEL: Object to the form.</p> <p>23 A. Yes.</p> <p>24 BY MR. GILMORE:</p> <p>25 Q. I didn't ask you, what did you do to</p>

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12 (45 to 48)

<p style="text-align: right;">45</p> <p>1 prepare for today's deposition?</p> <p>2 A. Not a lot.</p> <p>3 Q. Did you meet with attorneys --</p> <p>4 A. Yes.</p> <p>5 Q. -- in advance?</p> <p>6 A. Yes.</p> <p>7 Q. For about how many hours?</p> <p>8 A. Two.</p> <p>9 Q. Did you review any documents to prepare</p> <p>10 for today's deposition?</p> <p>11 A. No.</p> <p>12 Q. Have you spoken with any other Grande</p> <p>13 employees who have been deposed?</p> <p>14 A. No.</p> <p>15 Q. About their depositions, I mean?</p> <p>16 A. No.</p> <p>17 Q. Has anyone, other than attorneys,</p> <p>18 described those depositions to you?</p> <p>19 A. No.</p> <p>20 Q. Earlier you had said that you had insisted</p> <p>21 on adding to the abuse process responding to</p> <p>22 notices of copyright infringement; am I right?</p> <p>23 A. Yes.</p> <p>24 Q. Okay. And I think you said that the</p> <p>25 infringement that was going on might be a drain on</p>	<p style="text-align: right;">47</p> <p>1 A. Increased usage.</p> <p>2 Q. Were you able to match up increased usage</p> <p>3 by a customer to a notice that identified this IP</p> <p>4 address as --</p> <p>5 A. Not at that time.</p> <p>6 Q. Let me just complete that sentence.</p> <p>7 A. Sorry.</p> <p>8 Q. So initially, was Grande able to match up</p> <p>9 increased usage by a customer to a notice of</p> <p>10 infringement that identified an IP address?</p> <p>11 MS. HOEKEL: Same objection.</p> <p>12 A. That's not a yes/no answer there. I hope</p> <p>13 you can restate it differently so I can --</p> <p>14 BY MR. GILMORE:</p> <p>15 Q. Well, sure. So I want to just understand.</p> <p>16 You had said that you -- that Grande -- strike</p> <p>17 that.</p> <p>18 You had said, "Around the time we received</p> <p>19 allegations of infringement, we also had similar</p> <p>20 fluctuations in bandwidth usage and attributed</p> <p>21 them potentially to one another and addressed it."</p> <p>22 So that was your prior answer, and I just</p> <p>23 want to ask you some questions about that. Okay?</p> <p>24 A. Yes.</p> <p>25 Q. So you saw -- you said the fluctuations</p>
<p style="text-align: right;">46</p> <p>1 Grande's technical resources.</p> <p>2 A. Yes.</p> <p>3 Q. What did you know about the infringement</p> <p>4 that was going on by Grande subscribers that led</p> <p>5 you to insist on adding to the abuse process</p> <p>6 responding to copyright infringement?</p> <p>7 MS. HOEKEL: Object to the form and calls</p> <p>8 for a legal conclusion.</p> <p>9 A. Restate again. Sorry.</p> <p>10 BY MR. GILMORE:</p> <p>11 Q. Sure. Tell me about -- what information</p> <p>12 did you know about the infringement that was going</p> <p>13 on by Grande subscribers that led you to insist on</p> <p>14 adding to the abuse process a response to notices</p> <p>15 of copyright infringement?</p> <p>16 MS. HOEKEL: Objection, calls for a legal</p> <p>17 conclusion and form.</p> <p>18 A. We -- when we -- around the time we</p> <p>19 received allegations of infringement, we also had</p> <p>20 similar fluctuations in bandwidth usage and</p> <p>21 attributed them potentially to one another and</p> <p>22 addressed it.</p> <p>23 BY MR. GILMORE:</p> <p>24 Q. Describe that for me, the fluctuations in</p> <p>25 bandwidth usage.</p>	<p style="text-align: right;">48</p> <p>1 involved increased usage of bandwidth?</p> <p>2 A. Yes.</p> <p>3 Q. And was that -- was Grande able to match</p> <p>4 that up to specific customers?</p> <p>5 A. No. It was a trend.</p> <p>6 Q. So overall, Grande saw that increased</p> <p>7 bandwidth was being used at the same time it was</p> <p>8 receiving notices of infringement?</p> <p>9 MS. HOEKEL: Object to the form.</p> <p>10 BY MR. GILMORE:</p> <p>11 Q. Is that right?</p> <p>12 A. We had received complaints at the time of</p> <p>13 those, yes.</p> <p>14 Q. Okay. And Grande concluded -- strike</p> <p>15 that.</p> <p>16 You and others at Grande concluded that</p> <p>17 the increased bandwidth usage corroborated the</p> <p>18 notices of copyright infringement?</p> <p>19 MS. HOEKEL: Object to the form.</p> <p>20 BY MR. GILMORE:</p> <p>21 Q. Is that right?</p> <p>22 A. No, they potentially supported the notion.</p> <p>23 Q. And that potential support of the notices</p> <p>24 of infringement led you and others at Grande to</p> <p>25 develop a process for processing these notices of</p>

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20 (77 to 80)

<p style="text-align: right;">77</p> <p>1 A. Yes, I believe so.</p> <p>2 Q. What interactions have you had with</p> <p>3 Patriot?</p> <p>4 A. Almost none.</p> <p>5 Q. So almost none. What are the interactions</p> <p>6 that you have had with them?</p> <p>7 A. I believe once or twice a member of their</p> <p>8 team might have spoke at a corporate huddle or</p> <p>9 something, but I've never had a one-on-one</p> <p>10 interaction with any of them.</p> <p>11 Q. Who are the Patriot people that you -- the</p> <p>12 members of the team that you had interactions</p> <p>13 with?</p> <p>14 A. I couldn't even begin to remember their</p> <p>15 names.</p> <p>16 Q. Now, I want to ask you about this -- about</p> <p>17 your e-mail, still looking at Plaintiffs'</p> <p>18 Exhibit 68. The e-mail that you send back to</p> <p>19 Robby Creel originally, it's at the top of</p> <p>20 page 116 in this exhibit.</p> <p>21 A. Okay.</p> <p>22 Q. Do you see there's a statement where you</p> <p>23 say, "No telling how many people probably got</p> <p>24 spooked and paid. In our case, as far as I know,</p> <p>25 our obligation is simply to pass the requests on</p>	<p style="text-align: right;">79</p> <p>1 think that Grande had obligations to terminate</p> <p>2 customers at some point who receive multiple DMCA</p> <p>3 notices?</p> <p>4 MS. HOEKEL: Object to the form.</p> <p>5 A. Well, I'm sorry, I don't know whether I</p> <p>6 should say yes or no. Ask that again.</p> <p>7 BY MR. GILMORE:</p> <p>8 Q. Yeah, sure, it was a confusing question.</p> <p>9 A. Yeah.</p> <p>10 Q. I'm just trying to understand. You say</p> <p>11 "our obligation is simply to pass the requests on</p> <p>12 intact to the customers." I'm asking, does that</p> <p>13 mean you -- at this point in time, you didn't</p> <p>14 think Grande also had an obligation to terminate</p> <p>15 customers about whom it had received multiple</p> <p>16 notices?</p> <p>17 MS. HOEKEL: Object to the form.</p> <p>18 A. Relative to what is in this text, our</p> <p>19 obligation initially was to forward it on. That's</p> <p>20 what I was telling him.</p> <p>21 BY MR. GILMORE:</p> <p>22 Q. At some point in time, though, after</p> <p>23 receiving multiple notices, you still thought that</p> <p>24 Grande had an obligation to terminate customers at</p> <p>25 some point?</p>
<p style="text-align: right;">78</p> <p>1 intact to the customers, although we only pass on</p> <p>2 DMCA-type violations to known entities, of which</p> <p>3 this particular one evidently is in our abuse</p> <p>4 system."</p> <p>5 Do you see that?</p> <p>6 A. Yes.</p> <p>7 Q. The statement you're making there, that we</p> <p>8 only pass on DMCA-type violations to known</p> <p>9 entities, what are you referring to there?</p> <p>10 A. It was a typo. It should say "from known</p> <p>11 entities."</p> <p>12 Q. And is that referring to the process that</p> <p>13 we were talking about earlier in your deposition,</p> <p>14 where Grande verifies that this company, in fact,</p> <p>15 is legitimate in some sense and Grande will</p> <p>16 process its notices?</p> <p>17 A. Yes.</p> <p>18 Q. What did you mean by "as far as I know,</p> <p>19 our obligation is simply to pass the requests on</p> <p>20 intact to the customers"?</p> <p>21 A. Because our obligation doesn't fall within</p> <p>22 my purview. So letting them know, if you want to</p> <p>23 know what our actual obligations are, you'll have</p> <p>24 to ask somebody else.</p> <p>25 Q. At this point in time in 2014, did you not</p>	<p style="text-align: right;">80</p> <p>1 A. Yes.</p> <p>2 MS. HOEKEL: Object to the form.</p> <p>3 BY MR. GILMORE:</p> <p>4 Q. And you thought that at the time you sent</p> <p>5 this e-mail in 2014?</p> <p>6 A. I thought what?</p> <p>7 Q. That at some point after receiving</p> <p>8 multiple notices for a customer, Grande had an</p> <p>9 obligation to terminate?</p> <p>10 A. Yes.</p> <p>11 MS. HOEKEL: Object to the form.</p> <p>12 BY MR. GILMORE:</p> <p>13 Q. And you still think that today?</p> <p>14 A. Yes.</p> <p>15 MR. GILMORE: Been going about an hour.</p> <p>16 Want to take a break?</p> <p>17 THE VIDEOGRAPHER: Off the record at</p> <p>18 11:28.</p> <p>19 (Recess taken from 11:28 a.m. to</p> <p>20 12:40 p.m.)</p> <p>21 THE VIDEOGRAPHER: Back on the record at</p> <p>22 12:40. This begins tape No. 2.</p> <p>23 BY MR. GILMORE:</p> <p>24 Q. Mr. Bloch, are you aware of any instance</p> <p>25 where the infringement asserted in a copyright</p>

Transcript of Colin Bloch
Conducted on June 20, 2018

28 (109 to 112)

109	<p>1 Q. Is peer-to-peer file sharing against the</p> <p>2 AUP?</p> <p>3 A. No.</p> <p>4 Q. When you said earlier that you believed</p> <p>5 Grande might be able to block BitTorrent, what did</p> <p>6 you mean by that?</p> <p>7 A. They could block the default ports, which</p> <p>8 there are nine of.</p> <p>9 Q. Can you eradicate BitTorrent use through</p> <p>10 the -- blocking nine ports?</p> <p>11 A. No. There's 65,000-plus other ports.</p> <p>12 Q. And if you blocked certain ports that</p> <p>13 Grande might believe BitTorrent was using, is it</p> <p>14 possible that would compromise other websites?</p> <p>15 A. Possibly.</p> <p>16 Q. Okay. Are you an expert on BitTorrent?</p> <p>17 A. No.</p> <p>18 Q. Are you an expert on peer-to-peer file</p> <p>19 sharing?</p> <p>20 A. No.</p> <p>21 Q. Would you defer to an expert on the</p> <p>22 technicalities of BitTorrent?</p> <p>23 A. Yes.</p> <p>24 Q. Would you defer to an expert on the</p> <p>25 technicalities of peer-to-peer file sharing?</p>	111
110	<p>1 A. I'm aware that existed.</p> <p>2 MR. GILMORE: No further questions.</p> <p>3 MS. HOEKEL: No further questions. We'll</p> <p>4 read and sign.</p> <p>5 THE VIDEOGRAPHER: Off the record at 1:25.</p> <p>6 (Deposition concluded at 1:25 p.m.)</p> <p>7</p> <p>8</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	112
110	<p>1 A. Yeah.</p> <p>2 Q. You looked at Exhibits 92, 173 and 172.</p> <p>3 A. Okay. Let me just get one -- okay.</p> <p>4 Q. Have you ever seen these documents before?</p> <p>5 A. I have not.</p> <p>6 Q. Are these documents that you have</p> <p>7 interacted with in the course of your job?</p> <p>8 A. No.</p> <p>9 MS. HOEKEL: That's all I have.</p> <p>10 FURTHER EXAMINATION</p> <p>11 BY MR. GILMORE:</p> <p>12 Q. Grande has known about this problem of</p> <p>13 customers using Internet service to share music</p> <p>14 and movies online illegally for years, right?</p> <p>15 MS. HOEKEL: Object to the form.</p> <p>16 A. I don't know how much Grande, as a</p> <p>17 company, is aware -- was aware. When you say</p> <p>18 that, do you mean every individual in the company</p> <p>19 or just management or --</p> <p>20 BY MR. GILMORE:</p> <p>21 Q. Well, you've been aware for years about</p> <p>22 this problem of customers using Internet service</p> <p>23 to share music and movies online illegally for</p> <p>24 years, right?</p> <p>25 MS. HOEKEL: Object to the form.</p>	112

Transcript of Colin Bloch
Conducted on June 20, 2018

29 (113 to 116)

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1 REPORTER'S CERTIFICATION

2 I, Micheal A. Johnson, the officer before
3 whom the foregoing deposition was taken, do hereby
4 certify that the foregoing transcript is a true
5 and correct record of the testimony given; that
6 said testimony was taken by me stenographically
7 and thereafter reduced to typewriting under my
8 direction; that reading and signing was requested;
9 and that I am neither counsel for, related to, nor
10 employed by any of the parties to this case and
11 have no interest, financial or otherwise, in its
12 outcome.

13 IN WITNESS WHEREOF, I have hereunto set my
14 hand this 24th day of June, 2018.

15
16 

17 _____
18 MICHEAL A. JOHNSON, RDR, CRR
19 NOTARY PUBLIC IN AND FOR
20 THE STATE OF TEXAS
21
22
23
24
25